IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

LA.App..No. 437 of 2002()

LAR.27/1999 of SUB COURT,THRISSUR
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APPELLANT/2ND RESPONDENT IN LAR 27/99:

THE SECRETARY, THRISSUR CORPORATION,
THRISSUR.

BY ADV. SRI.K.B.MOHANDAS,SC,THRISSUR CORPORATION
SRI.K.A.SREEJITH

RESPONDENTS: CLAIMANT & 1ST RESPONDENT IN LAR 27/99:
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1. **K.K.DEVASSY, S/O.KOCHAPPU,KOKKAN HOUSE, OLLUKKARA,MANNUTHY,THRISSUR.**

2. **THE SPECIAL TAHSILDAR,(LA),THRISSUR CORPORATION,THRISSUR.**

R1 BY ADV. SRI.R.RAJESH KORMATH
SMT.SANJANA R.NAIR

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P.No.1897/2002 IN L.A.A.No.437/2002

DISMISSED

08.10.2007 **Sd/-KURIAN JOSEPH,JUDGE**

Sd/- HARUN-UL-RASHID,JUDGE

TRUE COPY

P.A.TO JUDGE

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. NO. 437 OF 2002

Dated this the 8th day of October, 2007.

J U D G M E N T

Kurian Joseph, J.

This appeal is at the instance of the requisitioning authority against the judgment and decree in L.A.R. No. 27/1999 on the file of the Sub Court, Thrissur. Acquisition is for widening of the Pattalam road and for the construction of shopping complex.

2. The extent involved is only 0.86 cents, with a building. The Land Acquisition Officer awarded Rs. 61,848.63/- towards total compensation. The land value portion is Rs. 26,780/-. Having regard to the undisputed importance of the locality and taking note of the stand of the Land Acquisition Officer himself in the note to the award that the land value is around Rs. 1 lakh in the area, the reference court fixed the land value at Rs. 1 lakh per cent. The claim was at the rate of 3.5 lakh per cent. However, it is seen that the claimant did not seriously contest the matter before the reference court and no document was adduced.

3. Be that as it may, having regard to the importance of the locality as noted by the Land Acquisition Officer and the

Advocate Commissioner, we are of the view that the reference court is fully justified in fixing the land value at Rs. 1 lakh per cent. Thus there is no merit in the appeal and it is accordingly dismissed.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE

smp

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A. NO. 437 OF 2002

J U D G M E N T

08.10.2007